

SDNY PRO SE OFFICE
2021 JUN -8 AM 11:00
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

DEWAYNE Richardson

Write the full name of each plaintiff.

No. _____
(To be filled out by Clerk's Office)

~~CITY OF NEW YORK~~ ^{-against-} NEW YORK
NEW YORK CITY Department of
Correction, Dept Carter, Captain LAW,
Officer Sanchez, Officer Gozman, Capt Perry,
N.Y.C. Health + Hospitals, Dept harvey

COMPLAINT
(Prisoner)

Do you want a jury trial?
☒ Yes ☐ No

Write the full name of each defendant. If you cannot fit the names of all of the defendants in the space provided, please write "see attached" in the space above and attach an additional sheet of paper with the full list of names. The names listed above must be identical to those contained in Section IV.

NOTICE

The public can access electronic court files. For privacy and security reasons, papers filed with the court should therefore *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number. See Federal Rule of Civil Procedure 5.2.

I. LEGAL BASIS FOR CLAIM

State below the federal legal basis for your claim, if known. This form is designed primarily for prisoners challenging the constitutionality of their conditions of confinement; those claims are often brought under 42 U.S.C. § 1983 (against state, county, or municipal defendants) or in a "Bivens" action (against federal defendants).

☒ Violation of my federal constitutional rights

☒ Other: Medical Malpractice, deliberate indifference

II. PLAINTIFF INFORMATION

Each plaintiff must provide the following information. Attach additional pages if necessary.

Dwayne Richardson
First Name Middle Initial Last Name

State any other names (or different forms of your name) you have ever used, including any name you have used in previously filing a lawsuit.

349-19-01861 NYSID #07324739Y
Prisoner ID # (If you have previously been in another agency's custody, please specify each agency and the ID number (such as your DIN or NYSID) under which you were held)

G.R.V.C.
Current Place of Detention

09-09 HAZENST
Institutional Address

EAST ELMHURST N.Y. 11370
County, City State Zip Code

III. PRISONER STATUS

Indicate below whether you are a prisoner or other confined person:

- ☒ Pretrial detainee
☐ Civilly committed detainee
☐ Immigration detainee
☐ Convicted and sentenced prisoner
☐ Other: _____

IV. DEFENDANT INFORMATION

To the best of your ability, provide the following information for each defendant. If the correct information is not provided, it could delay or prevent service of the complaint on the defendant. Make sure that the defendants listed below are identical to those listed in the caption. Attach additional pages as necessary.

Defendant 1:

First Name Dept Last Name Carter Shield # _____
 Current Job Title (or other identifying information) _____
09-09 HAZEN ST
 Current Work Address _____
EAST ELMHURST N.Y. 11370
 County, City State Zip Code

Defendant 2:

First Name _____ Last Name LAW Shield # _____
Captain
 Current Job Title (or other identifying information) _____
09-09 HAZEN ST
 Current Work Address _____
EAST ELMHURST N.Y. 11370
 County, City State Zip Code

Defendant 3:

First Name _____ Last Name GOZMAN Shield # _____
Officer
 Current Job Title (or other identifying information) _____
09-09 HAZEN ST
 Current Work Address _____
EAST ELMHURST N.Y. 11370
 County, City State Zip Code

Defendant 4:

First Name _____ Last Name Sanchez Shield # _____
Officer
 Current Job Title (or other identifying information) _____
~~XXXXXXXXXX~~ 1 Halleck St
 Current Work Address BRONX _____
~~XXXXXXXXXX~~ N.Y. 10474
 County, City State Zip Code

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for All Defendant's
 CE - List of Defendants
 in claims pg 12

V. STATEMENT OF CLAIM

Place(s) of occurrence: ~~G.R.V.C.~~ V.C.B.C., G.R.V.C.

Date(s) of occurrence: 3/26/21, 4/7/21, 4/17/21, 3/18/21

FACTS:

State here briefly the FACTS that support your case. Describe what happened, how you were harmed, and how each defendant was personally involved in the alleged wrongful actions. Attach additional pages as necessary.

ce - Attach

On 3/18/21, Plaintiff was given his first COVID-19 Vaccination shot, of the Pfizer vaccine. At, V.C.B.C., on 3/27/21, Plaintiff was sent to G.R.V.C. to be placed in R.H.U. (The Box). Plaintiff At which time informed Dept Carter, that ~~he~~ ^{Plaintiff} should not be going to the Box, because ~~he~~ ^{Plaintiff} has Asthma, Plaintiff Know's sometimes other Detainee's, my set there cell's, on fire, because the staff, is not giving them what there intitled, to which Plaintiff will get into in this claim also, ~~on~~ the N.Y.C. Department of Correction's, inhuman treatment of detainee's, in there Box. Carter, told Plaintiff, that's medical, Plaintiff, requested, to see medical, because Plaintiff, was in A different facility, and did not want there to be A problem with him get his second vaccine, shot. Plaintiff was informed, by Dept. Carter, that he would have to wait, until 1:30:AM, in the Bull Pin, Plaintiff sat in the Bull-Pin until almost 3:00 AM, and still did not see A doctor, Plaintiff, did not understand why because the jail, is locked down, after 9:00 pm. if A Doctor come's in At 1:30:AM, why did Plaintiff not see him, Plaintiff, Did see someone from medical, later that day, who inform'd Plaintiff, that he dose not make the medical Exclusion list, for the Box, for People with Asthma,

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Plaintiff later found out that the mayor, make's that list, which got Plaintiff, to thinking how is it the mayor, has access, to detainees, medical records, that's A hippa violation. Plaintiff, medical needs, were never meet, while Plaintiff was in the Box, Plaintiff informed, medical that Plaintiff, needed, A second vaccination shot, and that Plaintiff, had asthma, and wish to be placed on the medical Exclusion list, for the box, Plaintiff recieved ^{Plaintiff} notice. But while Plaintiff was in the Box ~~he~~ notice that ~~he~~ Plaintiff was Breaking, out, from the first shot, Plaintiff, inform'd medical of this and the fact that ~~he~~ Plaintiff has already had Five asthma, Attack's, and that ~~the~~ Plaintiff inhaluer was not working for the Attacks, Plaintiff, filed A Grievance, on the fact that Plaintiff, did not recieve the second shot on 4/16/21, Plaintiff also filed A Grievance, on 4/15/21, about the inhuman treatment Plaintiff received, from one officer Gozman, who work the 7, to 3~~00~~ tour officer Gozman, refused Plaintiff showers, the hole time Plaintiff was in the Box, Because Plaintiff medical paper's state that Plaintiff is front cuff only, No mitts, Allow access to self administer d medication, No chemical agents, No stun shield. Defendant Gozman should be terminated.

Which is another reason why Plaintiff, should not have been in the Box, because Plaintiff was Assaulted, by A Officer Sanchez, Shield NO#13640, who use A chemical agent, on Plaintiff in V.C.B.C. which lead to Plaintiff, coming to the Box, for Protecting Plaintiff self, from that Assault, Plaintiff file A Appeal, on 6 grounds, and one of the grounds is that No chemical agents are suppose to be used on Plaintiff, because Plaintiff, could have A Asthma Attack, and die, Plaintiff file this Appeal to the Deputy Warden of Security, in G.R.V.C who is Dept, Carter, Plaintiff has not recieved, A answer back yet and it is well past 7 days Plaintiff, sent the Appeal, on 4/7/21, and every Prisoner, & detainee, is intitled to have there Appeal herd. A Appeal that Captain Aries' had ~~had~~ ^{Plaintiff} give to A officer G, on 4/7/21. to be mailed. Plaintiff, would Also like to bring to the court's Attention, that Plaintiff, was the lead Plaintiff, in the Peoples v. Annucci 2016 U.S. Dist Lexis 43556 11-cv-2694 Class Action for S.H.V. in the State of New York, As part of that Settlement, Plaintiff, should not be in the Box, Because of his mental Health status, Plaintiff, now sees that New York State and New York City has learn'd nothing from the Death of ~~Kath~~ Khaled Brawder.

The young man who killed himself, because of his trials, & tribulations, he went through on Riker Island, and in the box, may he rest in peace. Which Plaintiff knows that he can't be, because like Khleif Browder, Plaintiff has been held for 2 years on false allegations, that were made in a 911 call, and a bail Plaintiff can not make, The D.A.'s office, and the judge, know's that these allegations are false, and have yet to release Plaintiff, but yet there is no access to mental health services, in the Box, Plaintiff, refuses, to wait until he is dead, to seek damages, because the city of New York has no idea just how much damage, The Department of corrections cause's with it's inhuman, treatment, of detainees. The policies of New York City department of correction not only violate the constitution, but are inhuman, but these are the individuals, who are suppose to determinate what is right and what is wrong. Plaintiff, will be adding, A Summary of Plaintiff claims, and some recommendations, so that Plaintiff claims will be clear, and, To let the court, know what Plaintiff, Plans to achieve, in A Settlement, as far as Justice Reform, with corrections in N.Y.C. and in the courts, criminal courts, that is as well as The D.A. Office.

Plaintiff's Summary of Claims, & Recommendations, for Settlement: Plaintiff will like to ask the Court, to rely on video footage, of the incident, between Plaintiff, and ^{Defendant} ~~Sanchez~~ Sanchez, and ^{Defendant} ~~Sanchez~~ Sanchez, in a report, where defendant clearly states that Plaintiff was flipping tables in the day room, never once in the report did he state ^{Defendant} ~~he~~ was in danger, or anyone else. But he did state that he knew why I was upset. Plaintiff, would also ask the Court, to refer to All use of force involving Plaintiff, so the Court, can get A clear understanding, of how much pain & suffering, and inhuman treatment Plaintiff, had to indoor, and the total lack for Plaintiff, safety, and life. Plaintiff would also like for the Court, to refer, and rely on the amount of time's the fire Alarm went off in ~~the~~ 13A, and Also whether or not those individuals, were removed, from there cell doing those fire's, which you would have to rely on video, if the department, refuse's, to provide, video record, or data, I would like them to be charged, with Tampering, with Evidence, in A Federal investigation into A federal claim Plaintiff would then ask that all qualified immunity, that protects ~~the defendants~~ the defendants under the ELEVENTH Amendment, be Waiver'd, in the name of Justice. Because of the inhuman treatment, Plaintiff received from Defendant Gozman, while in the Box, Being refused A Shower. This why Plaintiff is

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Asking for \$75,000.00 in his Settlement
 in Settlement recommendations, Plaintiff will
 ask that the policy's that violate Plaintiff 14th
 Amendment and 8th Amendment, as inhuman, be
 discontinued, and removed from N.Y.C department
 of correction's directive's, Also the Defendant's
 put A committee, together to investigate, the
 D.A. office, in how they don't review, cases, this
 committee, job, would be to review cases, to
 determine in which if these cases are ~~worth~~
 worth wasting tax payer, money, to detain
 A individual, let alone to waste on A Trial.
 Plaintiff, ask this in respect to Khleif Brawder,
 and Plaintiff, because for every charge there
 is Element's, that are needed to support the
 charge, Plaintiff, request this because The D.A.'s
 office, has A long history, of charging Alleged,
 defendant's with charge's that they know there
 not Guilty of, Plaintiff would like for the court to
 rely on the fact's, of Plaintiff current criminal, case
 Also Plaintiff's 2009, Trial, were Plaintiff was
 convicted, on the lesser, affiance, in the Element
 do not support, the fact's, of the top charge, in the
 indictment, the indictment, be dismiss, with prejudice.
 Plaintiff, would also request, that the Red IO Enhanced
 Restraint, be remove from Plaintiff, record. Plaintiff, spoke
 to captain Law, about his shower, Defendant stated
 "I will write A officer, up if they escort, you from t cuff.

7)

Plaintiff would Also like for Defendant's, to place him on the Medical Exclusion list, for the Box, Plaintiff, would also like it to be known to the court that Plaintiff would never Assault, anyone, unless, in self defense, Plaintiff is Also seeking, money damage's, for the sum of \$75,000.000. Plaintiff, brings these claims, against, the defendants, in there corporate, and personal, company.

Plaintiff, would Also like to take this time to Ask the court, to appoint counsel, on Plaintiff, behalf. Plaintiff, dose not know all of the defendants, Addresse's, so Plaintiff, would like when Addresse's of the defendants, is provide, for the court, that Pro se, provide the U.S. Marshals with the Necessary paper work to have the defendant's, Served SUMMONS.

Thank you for your time in this matter, Plaintiff, Plaintiff, will also ASK the court, to have the Defendant Put A system, in place, That When A officer, come's on Post, in A housing unit, that the officer has to be aware of the individuals, can and can not be expose to A Chemical agent, and if they are there will be No infractions, for the Actions, because of it Also the individual responsible ^{who} expose, Anyone who is not to be exposed, Be Terminated, from the job, because there actions, could had led to the death, of Someones Brother, farther, uncle, husband, grand farther, Son, -

8)

Plaintiff, would like to now Address, The issue's
 off Medical malpractice, by the department,
 medical provider, for Plaintiff, and there
 miss handling of Plaintiff, Covid-19, Vaccination,
 Plaintiff, was first vaccinated, on 3/18/21, with
 the Pfizer Vaccine, Per the company, Plaintiff,
 Should have received, his second shot, after
 21 days, No one else had to wait 28, to 30, days
 for there second shot like Plaintiff was
 told by medical staff, who dose not work for
 Pfizer, it is now 4/17/21, Plaintiff now dose not
 want the second shot, because the first one broke
 Plaintiff, out but Plaintiff, was still willing to
 take the second shot, had it been administer'd,
 in ~~in~~ it's timely, fashion, even with the deliberate in
 deference, Because there was No test, done, to see
 how plaintiff, Body, would react, to the
 vaccine, There Should have Been some type
 of Blood work done, before Plaintiff, was
 given, the vaccine, because Plaintiff, has Allergic
 reaction's, to some Medication's, and they would
 have known that had they reviewed ~~the~~ ^{Plaintiff's} Medical
 Records, Plaintiff, has made numerous, 311,
 complint's, on these' issue's, in this claim
 and had Ask the 311 operator, to forward
 his complint's, to the Mayor's, Office.,
 Plaintiff will also be Adding Captain Perry, for his
 failyer to look at the facts, in Plaintiff, hearing, for
 infractiOn, he was arbitrary, & capricious, in his disposition.

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Plaintiff, would also like the court to know how disturbing, Captain Law, statement, was to ^{Plaintiff} ~~me~~, and why with ^{Defendant} ~~me~~ being a supervisor, and all, Plaintiff, showed Defendant his medical papers and ^{Defendant} ~~me~~ said security, superseeds medical, Plaintiff then said so the medical paper work that you'll, ask us to go, get from your medical, in your facility, dose not matter, Plaintiff then asked Defendant is your job not care, custody, and control, ~~I said~~ Plaintiff then said that your asking me to do something that will be bad for my health, so how is that proper care, while I am in your custody, ^{Defendant} ~~me~~ then said security, come's first, Plaintiff, then said security, would not be a problem, if your officers, was not treating Plaintiff, inhumanly, if you ~~me~~ encourage your officer's to be professional's, like they get paid, to be security, would not be a problem, but your ok with ^{letting} ~~let~~ this officer Defendant Gozman treating ^{Plaintiff} ~~me~~ inhumanly, and the disturbing thing is Defendant could not understand, that. The really bad thing is Plaintiff, has never had any issues, with nither Defendant, so that let Plaintiff, know it did not make a difference, There going to do, what they want, anyway, so Plaintiff, just left, it alone, and filed, his grievance. Plaintiff, would like the court to rely on all 311 complaint's, involving, the disregard, for Plaintiff safety.

10)

Plaintiff would also like to know who in the mayor's office, is responsible, for making sure the mayor, see these complaints that are forward to his office from 311, and what steps, do he take to deal, with those complaints, to the court, in God we trust thank you for the time in this matter. Plaintiff would also like the court to know that Plaintiff was being denied Shower's during the holy month of Romadon, which is ALSO A 1st Amendment violation. Plaintiff, feels, there needs, to be some accountability, for the Defendant's in this matter, Plaintiff is ALSO Adding Defendant Dept harvey of security, in V.C.B.C, Because it's his job, and Duty, to make sure his officer, Don't use A chemical agents, on Plaintiff, while in his facility, he failed to do his Duty, which is to properly inform, them of Plaintiff, medical condition, which make's him legally Liabil, for the inhuman treatment Plaintiff had to go throw in the Box, and The pain and Suffering, Plaintiff endure from the chemical agent, Defendant failed in his dutys. Plaintiff knows from Experience No one want's to do there job in the department until the way of living, is in jeopardy, or job, Plaintiff need the court to make A ruling, and order, Plaintiff Medical needs be met. by the department

Plaintiff, would also like the court to know that the Defendant's; only abide by there Polycys, When it's to there Convenience, Plaintiff, dose not think the Defendant's, will understand, until some of there co-worker's are Killed, but Plaintiff, Know's even then there going to only Put there union Rep, on tv, to talk, about how unsafe, there job, is or how dangerous it is, Plaintiff needs the court to understand, that No one ~~is~~ hurt's these's defendant's for NO Reason but when you file Grievance, after Grievance, 311 complaint, after 311 complaint, and nothing is done no change's, are made what is someone to ~~done~~ the level of incompetance in the defendant's, is unmistakable, yet nothing is done. Plaintiff is not going to let the defendant's Kill, or Keep Putting him in A position, to be hurt, or worst Killed. You are not to be held in the box for more than 30 days at A time, and this is per A Settlement agreement, made by the defendant's, but if you check the log book you will see Plaintiff was held more than 30 days. Check the log book in 13A you'll see unmistakable, you can't make this up not even some of it, Plaintiff, has court on 4/28/21, so Plaintiff is to sit in someone's Bullpin all day on 4/27/21, and be mentally, ready for court, on 4/28/21.

12)
List of Defendants

~~These~~ These are all of the Defendants
Dept carter,
captain LAW, Captain Perry,
Officer Sanchez,
Officer Gozman,

Commissioner of New York City Department of Corrections,
N.Y.C. Health + Hospitals,

Captain Perry #480
Word Address - 09-09 Hazenst
East Elmhurst N.Y. 11370

Deputy harvey of security
1 Halleckst
Bronx N.Y. 10474

INJURIES:

If you were injured as a result of these actions, describe your injuries and what medical treatment, if any, you required and received.

Plaintiff Broke out in Rash from COVID-19 Vaccine, 14th Amendment Violated in Appeal process, 8th Amendment violation Being denied Shower, or shave, inhuman treatment No mental health service, No social service, suffered 7 Asthma Attack because fumes, choking burning eyes, from O.C.

VI. RELIEF

State briefly what money damages or other relief you want the court to order.

\$75,000.000, other relief is in claim, ce- Plaintiff Summary of claim

VII. PLAINTIFF'S CERTIFICATION AND WARNINGS

By signing below, I certify to the best of my knowledge, information, and belief that: (1) the complaint is not being presented for an improper purpose (such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation); (2) the claims are supported by existing law or by a nonfrivolous argument to change existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Federal Rule of Civil Procedure 11.

I understand that if I file three or more cases while I am a prisoner that are dismissed as frivolous, malicious, or for failure to state a claim, I may be denied *in forma pauperis* status in future cases.

I also understand that prisoners must exhaust administrative procedures before filing an action in federal court about prison conditions, 42 U.S.C. § 1997e(a), and that my case may be dismissed if I have not exhausted administrative remedies as required.

I agree to provide the Clerk's Office with any changes to my address. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Each Plaintiff must sign and date the complaint. Attach additional pages if necessary. If seeking to proceed without prepayment of fees, each plaintiff must also submit an IFP application.

4/26/21
 Dated
DEWAYNE
 First Name
09-09 Hazen St
 Prison Address
East Elmhurst
 County, City
N.Y.
 State
11370
 Zip Code
D. Richardson
 Plaintiff's Signature
RICHARDSON
 Last Name

Date on which I am delivering this complaint to prison authorities for mailing: _____

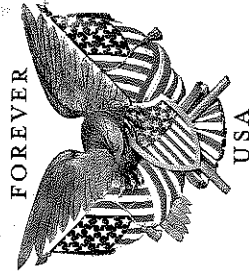
Dwayne Richardson
349-19-01861
18-18 HAZEN ST
EAST ELMHURST N.Y. 11370

052T 9885 1000 018T 0202



CERTIFIED MAIL

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT
OF THE RETURN ADDRESS. FOLD AT DOTTED LINE



RECEIVED
SDNY PRO SE OFFICE
2021 JUN -8 AM 11:01

To: Pro Se Intake unit
500 Pearl St
New York N.Y. 10007



Legal Mail

6500 91018610001